

**PLANNING BOARD
TOWN OF MARILLA**

Date: June 15, 2006

Present: Debbie Zimmerman, Chairman Barbara Spanitz, Town Board
Nathan Barnard, Co-Chairman Robert Miller, Consult
Rich Janiga
Judy Gillman
Dan Handy
Paul Domanowski
Tom Wantuck

Absent: John Fronczek, CEO

Guests: George Gertz, Councilman

- I. Debbie Zimmerman, Chairman, opened the Planning Board meeting at 7:03 p.m. Bob Miller commented he is available to any member of the P.B. and Town Board as a consultant and is always available for information or advice. Chairman Debbie Zimmerman stated Bob does always respond to her calls quickly.
- II. **MOTION** to accept May minutes moved by Dan Handy, seconded by Paul Domanowski. All in favor – 7 ayes.
- III. Old Business

George Gertz, Councilman, stated he was at a meeting Monday night regarding Erie County Executive Giambra threatening to withhold money for sheriff patrol along with turning over certain roads to the towns for snowplowing. Councilman Gertz handed out a proposed resolution stating that Erie County Executive Giambra also wants to establish a county-wide Planning Board. Bob Miller stated in the 1970s there was an Erie Niagara Regional Planning Board.

Councilman Gertz stated General Code Publishing returned the 400 page draft and everyone received it via e-mail. Councilman Gertz and Supervisor John Foss have typewritten copies. Councilman Gertz checked the draft which does contain all the changes submitted. The next step is to review this draft and then publish it on our website as a proposed draft which will then go to public hearing and adopted as law. Erie County is trying to reorganize radio communications to have new cell towers allow police, fire, EMS be free of charge. The P.B. decided under Section 608-3 “in any given year” should be changed to “in any calendar year.”

Bob Miller stated a timeframe for the P.B. to respond to the Town Board needs to be set for Special Use Permits, flag lots, etc. SEQR and NYS law define 62 days after an application is received by a representative of the municipality to make a decision to reject or approve or set a public hearing. Bob Miller stated if a public hearing is scheduled you have another 62 days to make a decision. Our code now reads a recommendation in 30 days, Bob Miller suggested maybe 40 days. Bob Miller suggested when an application comes in CEO John Fronczek needs to get a copy to the P.B. as soon as possible. Bob Miller stated it is a nice feature to have this on the computer making it easy to search items.

Councilman Gertz stated he heard the Garrison flag lot application has been withdrawn.

Dan Handy questioned if a grand-fathered lot follows the new guidelines for building setbacks. Rich Janiga stated he thought the new regulations would apply as only the size of the lot is grand-fathered.

Councilman Gertz stated the private bridges in town need to be certified safe before the fire company can cross over them. This will need to be addressed in our zoning section for future bridges.

IV. CEO Report

None.

V. Town Board Report

Councilman Spanitz noted the Garrison flag lot application has been withdrawn.

VI. Open Presentations from the Floor

None.

VII. **MOTION** to adjourn at 8:03 p.m. Dan Handy moved, seconded by Nathan Barnard, all in favor 7/0.

Respectfully submitted,

Laura Nuttle, Clerk